

## REMARKS

This is intended as a full and complete response to the Final Office Action dated September 22, 2005, having a shortened statutory period for response set to expire on December 22, 2005. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-4 and 6-13 remain pending in the application. Claims 1, 2, 6, 7 and 9-12 are rejected and claims 3-4, 8, 13 are objected to by the Examiner but would be allowable if redrafted in independent form. Claim 1 has been amended. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 1-2, 6-7 and 9-12 stand rejected under 35 USC § 102(b) as being anticipated by *MacDougall* (U.S. Pat. No. 5,692,565). Applicant respectfully traverses the rejections. *MacDougall* does not teach, suggest, or disclose either an apparatus, comprising a programmable controller, "wherein at least one of the axial displacement part and the rotational part is controllable by the programmable controller so that the work tool can be steered along any path within a work area," as recited in claim 1 or a method of orienting a work tool, "wherein at least one of the axial displacement part and rotational part is controlled by a programmable controller," as recited in claim 9.

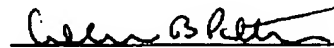
The Examiner cites the following passage from *MacDougall* as disclosing a programmable controller:

Also, electronic circuitry (not shown) at the surface represents control communications and processing circuitry for the logging tool 12. The circuitry may be of known type and does not need to have novel features.

(col. 4, lines 36-40). This passage clearly does not disclose a programmable controller. This distinction is significant because, as discussed in the application (see paras. [0007]-[0008] of U.S. 2004/0140102), the cutting operation may contain many variables, i.e., location of cut, pattern of cut (including size of resulting cut debris), water pressure, rate of cut, etc. Having these variables pre-programmed in the controller greatly reduces the chance of operator error. Therefore, claims 1 and 9 are patentable over *MacDougall*. Claims 2-4, 6-8, and 10-12 are also patentable over *MacDougall* since they depend from claim 1. Claim 13 is also patentable over *MacDougall* since it depends from claim 12.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the Final Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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